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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

REVIEW PETITION (L) NO. 115 OF 2006
IN
WRIT PETITION NO. 1484 OF 2005

Abhilasha Co-op. Hsg. Society Ltd. and Anr. ... Petitioners

Versus

B.M.C. and Ors. ... Respondents

Mr. Girish Desai with Mr. Rakesh K. Bhasin and S.R. Bhasin for Petitioner.

Mr. J.P. Sen i/by Desai & Diwanji for R.No. 8.

CORAM: F.I. REBELLO &
MRS.V.K. TAHILRAMANI,JJ.
DATED: FEBRUARY 20, 2007

P.C.:

. When the Petition was dismissed in the absence of the Petitioners, it was dismissed on the ground that the Petitioners have alternate remedy. The learned counsel submits that considering the judgment of the Supreme Court the matter ought not to have been dismissed on merits. The matter has not been dismissed on merits but only on the ground that the Petitioner have alternate remedy. In our opinion, nothing is pointed out to us to show any error apparent on the face of the record warranting interference in our review jurisdiction. We make it further clear that we have not decided the merits of the matter and all points are left open to be raised by the Petitioner before the appropriate forum.

(MRS.V.K.TAHILRAMANI,J.) **(F.I.REBELLO, J.)**